

Message Text

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ACTION EUR-12

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R 130756Z JAN 76

FM AMEMBASSY BERN

TO SECSTATE WASHDC 1960

INFO AMCONSUL ZURICH

C O N F I D E N T I A L BERN 0129

E.O. 11652: GDS

TAGS: BBSR, ASEC, SZ

SUBJECT: RELEASE OF ADMINISTRATIVELY CONTROLLED REPORTS TO PRIVATE
SECTOR

REF: 75 BERN 4698, 75 BERN 4827, 75 BERN 4873

1. BERN 4698, CLASSIFIED LOU, REPORTED DEROGATORY INFORMATION ON KONTRON AG OF ZURICH, ON WHICH A ROUTINE WTDR WAS SUBSEQUENTLY SUBMITTED AS BERN 4827. BERN 4873 (TO WHICH WE HAVE NOT YET RECEIVED A REPLY) REQUESTED GUIDANCE ON CALLING ATTENTION TO RELATION BETWEEN A WTDR AND PREVIOUSLY-SUBMITTED DEROGATORY INFORMATION ON SAME FIRM.

2. DESPITE LOU CLASSIFICATION OF BERN 4698, NOT ONLY CONTENTS OF THE REPORT BUT COPIES THEREOF HAVE FOUND THEIR WAY TO KONTRON THROUGH AT LEAST TWO FIRMS IN US, ONE OF THEM MONITOR LABS, WHICH WAS LISTED IN USDOC 15661 AS FIRM REQUESTING WTDR ON KONTRON. KONTRON IS EXCEEDINGLY DISTURBED THAT OUR REPORT WAS SUBMITTED, AND VEHEMENTLY DENIES TRUTH OF ITS DEROGATORY ALLEGATIONS. FIRM HAS EXTENSIVE RELATIONS WITH US FIRMS, INCLUDING SOME NOW AT CRITICAL STAGE OF NEGOTIATIONS, AND FEARS DISSEMINATION OF BERN 4698 MAY SERIOUSLY, POSSIBLY, INJURE FIRM'S STANDING IN US.

3. VKONTRON IS A PROMINENT IMPORTER OF MEDICAL ELECTRONICS AND OTHER SOPHISTICATED EQUIPMENT, AND ONE OF OUR CLOSEST AND MOST FRUITFUL CONTACTS. WE HAVE ASSURED KONTRON WE NEVER CEASE REGARDING FIRM AS BASICALLY SOUND AND A
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VALUABLE CONTACT FOR US FIRMS, BUT FELT COMPELLED TO REPORT

WHAT WE WERE SURE WERE TEMPORARY PROBLEMS SO THAT US FIRMS
COULD BE FULLY INFORMED BEFORE MAKING DECISIONS REGARDING
TRADE WITH THE FIRM.

4. AT REQUEST OF KONTRON, THE UNION BANK OF SWITZERLAND (UBS),
ZURICH, HAS SENT EMBASSY A COPY OF ITS (ENTIRELY FAVORABLE)
REPORT ON KONTRON. WE HAVE ASSURED KONTRON THE UBS REPORT
WOULD BE RELAYED TO THOSE FIRMS WHICH HAD RECEIVED THE DEROGA-
TORY REPORT. COPIES OF UBS REPORT (WHICH IS IN ENGLISH) BEING
AIRMAILED TO COMMERCE/BIC/OED.

5. WE SHALL SUBMIT REVISED WTDR ON KONTRON AS SOON AS POSSIBLE,
PENDING WHICH WTDR SUBMITTED AS BERN 4827 SHOULD BE CONSIDERED
CURRENT.

6. ACTION REQUESTED: (A) THAT BERN 4698 NOT BE FURTHER
DISSEMINATED AND THAT UBS REPORT BE PASSED TO ALL FIRMS
WHICH HAVE RECEIVED CONTENTS OR COPIES OF BERN 4698.
(B) THAT WE RECEIVE GUIDANCE ON CURRENT POLICY FOR REPORTING
AND HANDLING LOU MATERIAL ON WTDR SUBJECTS, SPECIFICALLY
ON STEPS POST CAN TAKE TO ASSURE BALANCED REPORTING TO
US INDUSTRY WITHOUT JEOPARDIZING RELATIONS WITH LOCAL FIRMS.
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